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to be classified rather under general political science than under jurisprudence. Other essays discuss topics of general jurisprudence. Those who have read the recent articles of Sir Frederick Pollock on the Law of Nature in this *REVIEW* will be interested in the essay in which Mr. Bryce deals with the same subject, tracing the history of the idea. The essay on the relations of law and religion, referring to the institutions of Mohammedan lands as the most conspicuous example of a system in which they are identified, includes an interesting account of the Mohammedan university of Cairo, and indicates the many points of close resemblance between that institution and the mediæval universities of Europe.

In another essay the methods of legal science are discussed. We are reminded that the Roman jurists, though preeminent for the scientific quality of their spirit and methods, devoted very little attention to the theory or philosophy of the law. Little value is placed by Mr. Bryce upon the metaphysical or abstract treatment of jurisprudence exemplified more particularly by certain German writers. Especially instructive is the fourteenth essay, a comparative study of the methods by which the Roman and the English systems of law were respectively developed, through the action of jurists and magistrates as well as by direct legislation. In the following essay the legal development at Rome and in England is further considered with reference to the historical influences that determined it and to the phases through which it passed. Essay II compares the extension of Roman and of English law through the world. In the final essay an interesting review is made of the history of marriage and divorce in Roman and in English law; and the examination is extended to other countries. Of marked interest are the two appended papers—the inaugural lecture delivered by Mr. Bryce in 1871, upon assuming the professorship of civil law at Oxford, and the valedictory lecture, delivered when he resigned that chair in 1893. It is a fact not without historical significance that, while the study of the civil law at Oxford dates back to the twelfth century, no instruction in the common law was provided there until 1756. The study of Roman law in England is the chief subject of each of these two lectures; Mr. Bryce emphasizes its educational value, even for the English law student. He reaffirms in 1893 the conviction expressed by him in his inaugural address, that a student, who has devoted his first year to the study of Roman law and the second and third to the study of English law, will have acquired a more thorough knowledge of English law than one of equal ability who has devoted the whole three years to the study of English law alone. The question suggests itself whether we may not, before many years, see the authorities of our own institutions of legal learning more generally introducing the study of Roman law into the curriculum.

INTERNATIONAL LAW. By George Grafton Wilson and George Fox Tucker. New York, Boston, Chicago: Silver, Burdett & Co. 1901. pp. xxiii, 459.

Since the publication of the last edition of Dr. Woolsey's *In-*

roduction to International Law, so long the standard text-book in the schools of the United States, there have appeared, in this country and abroad, various elementary works on the subject, chiefly designed for use as students' manuals. It may therefore be said that, in order to justify its appearance in competition with these current works, a new book should recommend itself either by originality of treatment or by a discussion of recent developments not to be found in earlier treatises. In point of originality, the volume before us has no special merit. The arrangement of the divisions of the subject follows pretty closely that of T. J. Lawrence, in his *Principles of International Law*. On the other hand, the style is somewhat popular; and while in various places principles are stated inadequately, or with too great an effort at conciseness, in other places they are unnecessarily expanded. Thus, the important subject of domicile, in its relation to enemy character, is disposed of (p. 235) by a sort of implication, in about three lines, while five pages (165-170) are devoted to diplomatic ceremonial. The whole subject of the Laws of War is compressed into 45 pages, which are almost exclusively devoted to the text of the "Instructions for the Government of United States Armies in the Field," the Oxford Manual, the recent American Naval War Code, and certain other documents, which are added as appendices to the volume.

As to recent developments of international law, the authors make suitable reference to the conclusions of The Hague Peace Conference on the Laws of War, and to the practice of the United States and Spain in the late war. But we find no reference to the important case of *The Three Friends*,<sup>1</sup> bearing on the subject of insurgency, nor to the cases of the *Paquete Habana*, and the *Lola*, commonly known as the Spanish Fishing Smacks Case<sup>2</sup>. We are glad to note among appendices a few forms illustrating procedure in prize cases.

On the whole, the book may prove to be serviceable in high-schools and academies, but, without much revision, it must be considered too elementary to supply the needs of students in colleges and law schools.

#### REVIEWS TO FOLLOW:

A SELECTION OF CASES ON THE LAW OF INSURANCE. By Edwin H. Woodruff. New York: Baker, Voorhis & Co. 1900. pp. xiii, 591.

THE CONSTITUTIONAL HISTORY OF THE UNITED STATES. By Francis Newton Thorpe. Chicago: Callaghan & Co. 1901. pp. xxi, 595; xix, 685; xvi, 718.

A HISTORY OF POLITICAL THEORIES, ANCIENT AND MEDIEVAL. By William Archibald Dunning. New York: Macmillan Co. 1902. pp. xxv, 360.

A TREATISE ON THE LAW OF ATTACHMENTS, GARNISHMENTS, JUDGMENTS, AND EXECUTIONS. By John S. Rood. Ann Arbor: Geo. Wahr. 1901. pp. 183, 549.

A CONCISE TREATISE ON THE LAW OF WILLS. By William Herbert Page. Cincinnati: W. H. Anderson & Co. 1901. pp. xxi, 1172.

A TREATISE ON THE AMERICAN LAW OF REAL PROPERTY. By Emory Washburn. Sixth Edition. By John Wurts. Boston: Little, Brown & Co. 1902. 3 vols. pp. clxx, 579; iv, 706; iv, 636.

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<sup>1</sup> 166 U. S.      <sup>2</sup> 175 U. S.